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By Rosa Peterson et al. on Jan 13, 2010

59150-8037.US

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,787	07/30/2007	Kazuhiro Nagaike	59150-8037	3253

22518 7591 01/13/2010  
PERKINS COIE LLP  
P.O. BOX 1208  
SEATTLE, WA 98111-1208

Previously  
Transferred

5/23/08

EXAMINER
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CHIN, STACY BROWN

ART UNIT	PAPER NUMBER
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1648

NOTIFICATION DATE	DELIVERY MODE
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01/13/2010

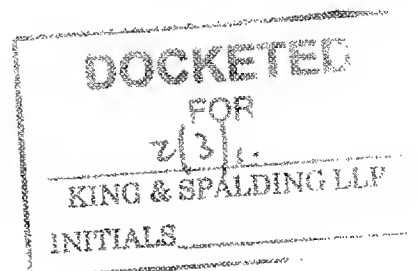
ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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WASHINGTON, DC 20231  
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APPLICATION NO. / CONTROL NO. 10591787	FILING DATE 7/30/07	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION NAGAIKE ET AL.	ATTORNEY DOCKET NO. 59150-8037
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EXAMINER  
Stacy B. Chen

ART UNIT 1648	PAPER 20100105
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Web (<<http://www.uspto.gov/cbe/efs/downloads/documents.htm>>, EFS Submission User Manual - cPAVE)
2. Mailed to:  
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P.O. Box 22313 1450  
Alexandria, VA 22313 1450
3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:  
U.S. Patent and Trademark Office  
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Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication should be directed to Stacy Chen at telephone number 571-272-0896. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Mondesi, can be reached on 571-272-0956.

/Stacy B Chen/  
Primary Examiner, Art Unit 1648

## Notice to Comply

Application No.  
10591787

Applicant(s)  
NAGAIKE ET AL.

Examiner  
Stacy B. Chen

Art Unit  
1648

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s).

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-0731 or (571) 272-0951

For CRF Submission Help, call (571) 272-2510

PatentIn Software Program Support

Technical Assistance. 1-866-217-9197 or 703-305-3028 or 571-272-6845

PatentIn Software is Available At [www.USPTO.gov](http://www.USPTO.gov)

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

/Stacy B Chen/  
Primary Examiner, Art Unit 1648

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Sequence Listing could not be accepted due to errors.

See attached Validation Report.

If you need help call the Patent Electronic Business Center at (866)  
217-9197 (toll free).

Reviewer: Durreshwar Anjum

Timestamp: [year=2009; month=12; day=24; hr=13; min=50; sec=43; ms=621;  
]

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Reviewer Comments:

Seq Id # 6

Leu Ala Arg Ala Val Phe Ala Ser Ser Arg Thr Phe Gly Pro Ala Ser  
995 1000 1005

Phe Ala Arg Ile Glu Thr Ala Phe Ala Asn Leu Tyr Pro Gly Glu  
1010 1015 1020

Gln Pro Leu Cys Leu Cys Arg Gly Gly Asn Val Ala Tyr Thr Val  
1025 1030 1035

Please move a space between the bases Gly Pro  
1005

Please make necessary changes.

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Application No: 10591787

Version No: 2.0

Input Set:

Output Set:

Started: 2009-12-03 19:02:14.043

Finished: 2009-12-03 19:02:26.589

Elapsed: 0 hr(s) 0 min(s) 12 sec(s) 546 ms

Total Warnings: 5

Total Errors: 1

No. of SeqIDs Defined: 91

Actual SeqID Count: 91

Error code	Error Description
W 213	Artificial or Unknown found in <213> in SEQ ID (1)
W 213	Artificial or Unknown found in <213> in SEQ ID (2)
W 213	Artificial or Unknown found in <213> in SEQ ID (3)
W 213	Artificial or Unknown found in <213> in SEQ ID (4)
E 323	Invalid/missing amino acid numbering SEQID (6) POS (1006)
W 213	Artificial or Unknown found in <213> in SEQ ID (7)